

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LINDA TRABUCCO	:	CIVIL ACTION
	:	
vs.	:	
	:	
UNUM LIFE INSURANCE COMPANY,	:	
NOVACARE REHABILITATION (Philadelphia)	:	
NOVACARE REHABILITATION (Exton), and	:	
DANIEL J. WALKER, MPT	:	NO. 09-448

ORDER

AND NOW, this 24th day of April 2009, upon consideration of plaintiffs' motion to remand and defendants response thereto and defendant UNUM's motion to dismiss and plaintiffs' response thereto, it is hereby ORDERED that:

- 1) plaintiff's motion to remand her claim against UNUM is DENIED;
- 2) defendants' motion to dismiss plaintiff's ERISA claim against UNUM is GRANTED and that claim is DISMISSED; and
- 3) plaintiffs' motion to remand the remaining state law claims is GRANTED and this action is REMANDED to the Philadelphia County Court of Common Pleas. The Clerk is directed to close this case statistically.

/s/ THOMAS N. O'NEILL, JR.  
THOMAS N. O'NEILL, JR., J.